Vol. VII. Numb. 35

# THE OBSERVATOR.

*More Remarks upon the undue Practices about Elections in* Scotland; *with Advice to their Electors. The Juſtice of the Earl of* Sunderland, *and other* Engliſh *Lords, to the* Scotch *Lords and Gentlemen, lately brought hither Priſoners.* Edward *the I's Severity to the* Scots, *hinder'd the then Union of the Nations. A Word to the* Rehearſal.

From Saturday, June 12. to Wednesday, June 16. 1708.

*Obſ.* HAVE you any more News from *Scotland*, concerning the Elections there, *Roger?*

*Country-m.* There are ſome People, Maſter, who think we have ſaid too much upon that Subject already; and make it their Buſineſs to poſſeſs People, that all the Story about Mr. *Mackay*, of *Palgown*'s being ſo ill us'd, is falſe.

*Obſ.* What Sort of People be they, *Roger?*

*Country-m.* Why truly, Maſter, upon Enquiry, I find them to be of that diminutive Sort of People call'd Under-ſpur-leathers, who have a Dependance upon the late *Scotch* Miniſtry; but the beſt on't, is, that what they ſay, is but very little regarded. For ſome of the Excuſes they made for their quondam Maſters, with Reſpect to that Gentleman, were known by the Company to be downright Falſhoods; and the reſt was not worth any Man's hearing, being only fit for the Perſons who ſpoke it.

*Obſ.* But how is the Fact, *Roger?* I would not have you bring me any falſe Stories.

*Country-m.* I told you before, Maſter, that I ſaw a Letter under Mr. *Mackay*'s own Hand for it, to a Gentleman who could not be impos'd upon; wherein he acquainted him, that ſeveral Great Men there, deſir'd the Thing might be made publick for the Gentleman's Vindication: And I have ſince ſeen another Letter from him, wherein he acquaints his Friend, that he was confin'd to his Chamber, and had a Centinel to guard him.

*Obſ.* Well, *Roger*, I am glad to find your Information is ſo good; for I would wrong no Body. Pray what is there in that Part of the Story, about undue Practices made Uſe of to extort Proxies from Peers?

*Country-m.* Why, Maſter, one of thoſe Peers who was brought hither a Priſoner, and had been prevail'd on to grant his Proxy to a certain noble Lord, being admitted to Bail, is gone down Poſt to recal his Proxy, and to vote in Perſon; and for the Story of the Earl of *Strathmore*'s being treated in ſuch a Manner, to make him give his Proxy, 'tis aſſerted by ſome of his own Friends and Relations here.

*Obſ.* I told you laſt Time, *Roger*, that I could hardly believe the Government would employ any Man, who could be guilty of ſo much Weakneſs or Wickedneſs; and ſtill hope to hear, that the Great Man charg'd with thoſe Things, will be able to prove the contrary: But if it be otherwiſe, all the Laws againſt corrupt Elections, muſt needs ſtrike with Force againſt him; and no Doubt the *Scotch* Lords; who, from being hereditary, are now become elective Members of Parliament, will reſent in a Manner anſwerable to the Dignity of their Peerage, ſuch an Attempt upon the Freedom of their Elections; which is all the Handle they have left to get into Parliament, in order to ſerve their Country, and to take Care to have ſuch Laws enacted, as may ſecure their own Liberties, Lives, Eſtates, and Honours.

*Country-m.* I am of that Mind too, Maſter; and there's no Reaſon to doubt, but the Houſe of Peers will do them Juſtice againſt ſuch Practices, upon Complaint; for I am very well inform'd, that ſeveral of our Great Lords, expreſs their Diſlike of the Treatment the *Scots* have met with of late; and particularly, that the Earl of *Sunderland* has ſhewn them all the legal Favour imaginable, in getting ſuch of their Lords and Gentlemen admitted to Bail, as were brought up Priſoners hither, and had nothing charg'd upon them by Evidence.

*Obſ.* I am glad to hear it, *Roger*. His Lordſhip behaves himſelf, in ſo doing, anſwerable to his Birth and Learning, and the Character he has juſtly acquir'd, of entertaining true and noble Principles of Liberty. His Lordſhip, who with other Parts of Learning, does very well underſtand our Hiſtory and Conſtitution, remembers no Doubt, *Roger*, that the coaleſcing of the two Nations into one, was hinder'd formerly by the Severity of our *Edward* the I. againſt the *Scotch* Nobility and Gentry, becauſe they would not own their Crown to be held in Fee of that of *England*, tho' they had ſubmitted to the Neceſſity of the Times, being over-power'd by his Force, and that of their Country-men, who, they ſaid, did traiterouſly comply with him. Whereas, had that Prince treated the *Scots* mildly, upon an equal Footing with his *Engliſh* Subjects, and not intrench'd upon their Honour and Liberty, the Union had, in all Probability, been effected then: But that Warlike Monarch being partly miſled by his own Ambition, and partly by the ill Advice of ſome of his own Great Men, and ſuch of the *Scots* of his Party as gap'd after enlarging their Eſtates by the Forfeitures of others, he proceeded to impriſon and cut off many of their Nobility and Gentry; which did ſo enrage the *Scots*, tho' their Submiſſion to *Edward* the I. had been ratify'd in Parliament, as their own Hiſtorians inform us, that they took Arms, tho' then reduc'd very low, and not only recover'd their own Liberty, but diſtreſs'd our Anceſtors; gave them the greateſt Overthrow at *Bannochburn*, they ever receiv'd, and lay'd our Country, as far as *York*, under Contribution.

*Country-m.* Why truly, Maſter, that's an Inſtance which deſerves to be remember'd and obſerv'd. Severity is never to be us'd upon new and great Turns of State; which, how neceſſary and juſt ſoever, always meet with great Oppoſition. Therefore, I think the Earl of *Sunderland*, and others of our Whig Lords, are perfectly right, in contributing all they can to have the *Scotch* Lords and Gentlemen, who are brought hither Priſoners, treated like Men of Honour: And, if I be rightly inform'd, Maſter, they are ſo much the more concern'd to do this, becauſe there have not been wanting ſome ill People, who, perhaps to excuſe themſelves, have falſely charg'd thoſe Lords with being the Occaſion of bringing up ſo many Perſons of Quality from *Scotland*, againſt few of whom there's any Thing to be ſaid; as I think appears by their being ſo generally admitted to Bail.

*Obſ.* No Body can blame the Government, *Roger*, when they are inform'd, that ſuch and ſuch Men are dangerous Perſons, to take ſuch Methods as the Law allows them for their own Security: But whoever they be, that are entruſted by a Government to give them faithful Intelligence and Advice,

Advice and at the ſame Time, miſinform thoſe in the Adminiſtration, either as to Perſons or Things, there's no Puniſhment ſevere enough for them. 'Tis certain, that none of our Lords, Whigs, or others, can be ſo well acquainted with the Characters of the Nobility and Gentry of *Scotland*, as to know, who are fit to be taken up, and who to be left at Liberty, but as they are inform'd by ſome of the *Scots* themſelves; and therefore I hope, *Roger*, when the Parliament meets, an Enquiry will be made after thoſe, who have advis'd to ſo many Things that have a natural Tendency to provoke and enrage the *Scots*, inſtead of inſpiring them with a good Opinion of the Union. And on this Occaſion, *Roger*, I ſhould humbly propoſe it as a good Expedient to prevent the Miſrepreſentations of the Affairs of that Country by People engag'd in Parties and Factions, that their Nobility, when aſſembl'd to elect their ſixteen, ſhould agree on a true Repreſentation of the State of their Country, and charge their Deputies to lay it before the united Parliament, in order to have Grievances redreſs'd and prevented; and that their Barons or Knights of Shires, and Commiſſioners from Burroughs, ſhould do the like; for they have no Reaſon to doubt, tho' their Repreſentatives be but few in Compariſon to ours, that any Thing recommended by three ſuch Bodies of Men, who fully repreſent that ancient and brave People, would always have a conſiderable Weight, and meet with a due Regard in the Parliament of *Great Britain*: For ſince our Nation is, bleſſed be God, jealous of their own Liberties, they would always find it their Intereſt, to curb any Thing of Slavery and Oppreſſion, that ſhould ſet up its Head in *North Britain*, leaſt the Infection come at laſt to reach our Selves.

*Country-m.* Hold, Maſter; not too far upon that Head. You have provok'd the Indignation of the *Rehearſal*, for inſiſting upon the Right of the Electors to give Inſtructions to their Members, and to expect a Compliance with thoſe Inſtructions. He ſays, you are of the ſame Principles with Mr. *Hoadly*; and that you admire the Author of the *Jura populi Anglicani*, whom he calls a black Angel, and a little unknown Author.

*Obſ.* I thank him, *Roger*, for allowing me ſuch good Company. That little Author, as he calls him, is known to be one of the Greateſt Men in *England*; and how black ſoever the *Rehearſal* thinks fit to call him, he is a Gentleman of bright Character and Parts. Our Adverſary, Mr. *Rehearſer*, has done himſelf and his Party, no Service, *Roger*, in ſo poſitively denying the Right of our Electors to inſtruct the Elected, which he ſays never was, nor can be, either in *England* or *Scotland*, when the contrary is aſſerted by ſo Great a Man as my Lord *Coke* in his *Inſtitutes*, as to *England*; by ſuch Learned Perſons and Great Lawyers, as the Author of the *Jus Populi*, and the late Sir *John Nisbett*, in *Scotland*; by ſuch a Great Politician and Royaliſt too as *Bodin*, in *France*, and by ſo Great a Civilian, Politician, and Friend of Monarchy, as *Althuſius*. But more of this another Time, *Roger*; we ſhall, God willing, take an Opportunity to try the Strength of thoſe Arguments, upon which that Champion of Slavery, the *Rehearſer*, values himſelf ſo much.

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LONDON, Printed for the Uſe of the Widow of the late Author, JOHN TUTCHIN.